

What is Title VI?

Title VI of the Civil Rights Act of 1964, as amended, is the federal law that protects individuals from discrimination on the basis of their race, color, national origin, sex, age, or disability in programs that receive federal financial assistance.

What is Environmental Justice (EJ) Executive Order (EO) 12898?

To the greatest extent practicable and permitted by law each agency shall make achieving EJ part of its mission by identifying and addressing as appropriate, disproportionate high and adverse human health or environmental effects on its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions, the District of Columbia, the Commonwealth of Puerto Rico, and the Commonwealth of the Mariana Islands.

What is Limited English Proficiency (LEP) Executive Order (EO) 13166?

To improve access to federally conducted and federally assisted programs and activities for persons who as a result of national origin are limited in their English proficiency recipients of federal assistance are required to ensure meaningful access to their programs and activities.

What does Title VI Cover?

As a recipient of federal assistance, HDOT must manage programs and deliver benefits and services to individuals (known as “beneficiaries”), in a nondiscriminatory manner to achieve the goals of the federal legislation that authorizes the programs. Title VI

responsibilities are very broad covering such diverse areas as:

- Planning
- Project Development
- Right of Way
- Construction
- Research

What is Discrimination?

Discrimination under Title VI of the Civil Rights Act of 1964, as amended, and other nondiscrimination authorities, is an act (action or inaction), whether intentional or unintentional, through which a person solely because of race, color, national origin, sex, age, or disability has been otherwise subjected to unequal treatment or impact, under any program or activity receiving financial assistance.

What discrimination does Title VI prohibit?

There are many forms of discrimination based on race, color, national origin, sex, age, or disability that can limit the opportunity of individuals to gain equal access to services and programs. In operating federally assisted programs, a recipient cannot discriminate either directly or through contractual means by:

Denying program services, financial aids, or benefits;

Denying persons opportunity to participate in the program through the provision of services;

Providing a different service, financial aid, or benefit, or provide them in a manner different than they are provided to others; or

Subjecting a person to segregation or separate treatment in any manner related to

the receipt of any service, financial aid, or other benefits under the program.

Who may file a Title VI complaint?

Any individual or group that believes that their rights under Title VI have been violated in a discriminatory manner, their departments programs or activities do not comply with federal civil rights laws or they have been treated in a disparate manner may file a complaint.

How to file a discrimination complaint.

Each federal agency that provides federal financial assistance is responsible for investigating complaints of discrimination based on race, color, national origin, sex, age, or disability in the use of its funds. If you believe that you or others protected by Title VI have been discriminated against by HDOT, you may file a complaint with the federal agency that provides the respective funding for that program or at HDOT. Complaints filed with HDOT should be directed to:

Hawaii Department of Transportation
Office of Civil Rights
869 Punchbowl Street, Room 112
Honolulu, HI 96813

(808) 587-2022 (Voice)
(808) 587-2210 (TTY)

What information should be included in a complaint?

1. Your name, address and telephone number. If you are filing on behalf of another person, include their name, address, telephone number and your

relations to that person (e.g., friend, attorney, parent, etc.)

2. The name and address of the agency, institution, department and or persons you believe discriminated against you.
3. Your signature.
4. A description of how, why, and when you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination.
5. The names of any persons, if known, that the investigative agency could contact for additional information to support or clarify your allegations.

How will HDOT deal with my complaint?

Once a complaint is filed, the HDOT OCR will forward the complaint to the federal agency responsible for the area of alleged discrimination if the complaint is against HDOT. If the complaint is against a sub-recipient then the HDOT OCR will investigate the allegations and resolve the issue.

What happens if there is retaliation for asserting your rights or filing a complaint?

A sub-recipient is prohibited, as is HDOT, from retaliating against a complainant or any person because they reported an unlawful policy or practice, or made charges, testified, or participated in any complaint action under Title VI.

This brochure has been designed to give you information on HDOT's commitment to nondiscrimination and equal opportunity

TITLE VI POLICY

It shall be the policy of the HDOT that all recipients of Federal assistance, including HDOT divisions, Metropolitan Planning Organizations, and Sub-recipients ensure full compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives in all programs and activities. No person shall on the grounds of race, color, national origin, sex, age, or disability be excluded from participation in, be denied benefits of, or otherwise subjected to discrimination under any HDOT program or activity.

AUTHORITY

The primary authorities for Title VI compliance and enforcement are the Civil Rights Act of 1964, as amended, and the Civil Rights Restoration Act of 1987. However, other statutes, laws, regulations and Executive Orders have also provided guidance for the effective implementation of the objectives of Title VI. These include: Federal-aid Highway Act of 1973; Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990; Age Discrimination Act of 1975; the Uniform Relocation Act of 1970; and Executive Orders 12898 and 13166.



“Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes or results in racial discrimination.”

President John F. Kennedy, in his message for enactment of Title VI, 1963

This publication will be made available in an alternative format upon request by contacting the Office of Civil Rights, Title VI Program at:

(808) 587-2022

or

(808) 587-2210 (TTY)



Linda Lingle,
Governor



Rodney K. Haraga,
Director



Rey Domingo,
Civil Rights Coordinator

YOU and HDOT

Your Rights Under
Title VI
of
The Civil Rights Act of 1964



“No person in the United States shall, on the grounds of race color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”